

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

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Amendment of Section 73.202(b),
Table of Allotments,
FM Broadcast Stations.
(Angel Fire, Chama and Taos, New Mexico))

) MM Docket No. 99-116
) RM-9536
)

JUN 01 1999

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

TO: The Chief, Allocations Branch:

COMMENTS AND COUNTERPROPOSAL

KNXX, Inc. ("KNXX"), by its attorneys, hereby submits the following comments and counterproposal in response to the above-captioned Notice of Proposed Rule Making.

1. The Commission has before it the petition for rule making filed by Alpine Broadcasting Limited Partnership ("petitioner" or "Alpine") requesting the substitution of Channel 256C for Channel 260C at Taos, New Mexico, and the modification of its construction permit for Station KHYP to specify the alternate Class C channel. In order to accommodate the channel change at Taos, petitioner also requested the substitution of Channel 260C2 for Channel 256C2 at Angel Fire, New Mexico. Inasmuch as Channel 260C2 is occupied by station KKIT in Angel Fire, Alpine requested modification of Station KKIT's license to specify the alternate Class C2 channel.

Further, Alpine asked that the Commission substitute Channel 221A for Channel 255A at Chama, New Mexico. Because Tony Gonzales held a permit (File No. BPH-961115MM) for construction of a new FM broadcast station on Channel 255A in Chama,

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Alpine sought modification of the construction permit to specify the alternate Class A channel.

2. KNXX would be affected by adoption of Alpine's plan. On April 19, 1999, pursuant to prior FCC approval, KNXX acquired the Chama construction permit from Tony Gonzales.

3. KNXX has no objection to the substitution of channel assignments as requested by Alpine for Taos and Angel Fire.

4. Petitioner proposed the use of Channel 221A at Chama so as to accommodate its plan to add Channel 256C2 to Taos. KNXX agrees with Alpine that the change planned at Taos would also require modification of the Chama construction permit so as to reflect operation on a different channel.

5. As Alpine has suggested, Channel 221A may be allotted to Chama as outlined in Section 73.207 of the Commission's Rules. However, before such a channel substitution is made, it should be noted that station KRST operates on Channel 222C in Albuquerque, New Mexico, from the Sandia Crest Electronic Site. Use of this site affords KRST the opportunity to broadcast at more than four thousand feet above average terrain. In addition, the terrain between Sandia Crest and key parts of the service area of the Chama station is unusually low, compared to terrain in certain other directions. Accordingly, if KNXX were to commence operation of a new station in Chama on Channel 221A, first adjacent channel interference with KRST would be severe.


6. In order to avoid interference to operation on Channel 221A, KNXX hereby proposes the use of Channel 240A, rather than Channel 221A, as the replacement channel at Chama. As is shown by the attached engineering study ("Exhibit A"), Channel 240A can be allotted to Chama in compliance with the Commission's minimum distance separation requirements. Moreover, it can be used at the transmitter site specified in the outstanding construction permit (BPH-961115MM) for the Chama facility. Adoption of this proposal would retain all of the public interest benefits of Alpine's proposal, while public reception of the signal of the Chama station would not be harmed by interference from Station KRST.

7. In light of the foregoing, the Commission should adopt the counterproposal described above, which can be summarized as follows:

	<u>Channel No.</u>	
<u>City</u>	<u>Present</u>	<u>Proposed</u>
Angel Fire, New Mexico	256C2	260C2
Chama, New Mexico	255A	240A
Taos, New Mexico	260C2, 270C1	256C, 270C1

Respectfully submitted,

KNXX, Inc.

By: 

Barry D. Wood
Paul H. Brown

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Date: June 1, 1999

-----Full Study-----

Study for: Chama Chama

Search Channel: 240

Class: A

05-18-1999

08:22:17

Latitude: 365412 Longitude: 1063442

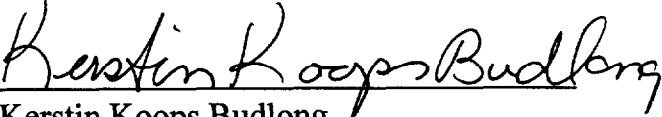
Call Letters	Location	Channel	Class	Bearing	Distance(km)	Required(km)	OK/Short
Opening, Sorting & Searching: utah.dbf							
Opening, Sorting & Searching: texas_4.dbf							
Opening, Sorting & Searching: texas_3.dbf							
Opening, Sorting & Searching: texas_2.dbf							
Opening, Sorting & Searching: texas_1.dbf							
Opening, Sorting & Searching: oklahom.dbf							
Opening, Sorting & Searching: nm.dbf							
Santa	Santa Fe	238	C1	171.37	114.23	75.00	OK
KMMG	Santa Fe	238	C1	177.88	124.70	75.00	OK
Farmin	Farmington	239	C1	262.59	146.21	133.00	OK
KPCL	Farmington	239	C1	261.06	148.29	133.00	OK
KRSR	Santa Rosa	240	A	141.33	278.11	115.00	OK
Santa	Santa Rosa	240	A	141.87	276.64	115.00	OK
Albuqu	Albuquerque	242	C	176.46	188.00	95.00	OK
KHFM	Albuquerque	242	C	176.46	188.00	95.00	OK
NEW	Raton	243	A	86.98	187.76	31.00	OK
Raton	Raton	243	A	90.11	194.15	31.00	OK
Los Al	Los Alamos	294	C1	168.57	115.47	22.00	OK
KBOM	Los Alamos	294	C1	177.84	123.90	22.00	OK
Opening, Sorting & Searching: kansas.dbf							
Opening, Sorting & Searching: colora_2.dbf							
KAUY	La Junta	293	C1	73.09	288.53	22.00	OK
La Jun	La Junta	293	C1	73.09	288.53	22.00	OK
Opening, Sorting & Searching: colora_1.dbf							
KSLVFM	Monte Vista	237	A	26.11	86.45	31.00	OK
Monte	Monte Vista	237	A	26.11	86.45	31.00	OK
Rocky	Rocky Ford	238	C1	63.59	282.30	75.00	OK
KPRZFM	Fountain	241	C3	36.48	254.41	89.00	OK
KSTRFM	Montrose	241	C	326.52	262.73	165.00	OK
Montro	Montrose	241	C	326.52	262.73	165.00	OK
KPRZFM	Fountain	241	C2	36.48	254.41	106.00	OK
Founta	Fountain	241	C2	40.74	253.01	106.00	OK
Durang	Durango	243	A	290.03	122.86	31.00	OK
Dolore	Dolores	243	C2	289.86	182.22	55.00	OK
Opening, Sorting & Searching: arizona.dbf							
Window	Window Rock	241	C1	238.59	260.36	133.00	OK
KWRK	Window Rock	241	C1	236.76	271.94	133.00	OK

EXHIBIT A

CERTIFICATE OF SERVICE

I, Kerstin Koops Budlong, hereby certify that on this date I caused the foregoing "Comments and Counterproposal" to be served by U.S. first class mail, postage prepaid, on the following:

Richard A. Helmick
Cohn and Marks
1920 N Street, NW
Washington, DC 20036
Attorney for Alpine Broadcasting Limited
Partnership


Kerstin Koops Budlong

Date: June 1, 1999
